UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO

LEVERT K. GRIFFIN,) CASE NO. 5:05 CV 2543
Petitioner,	JUDGE KATHLEEN M. O'MALLEY
V.) ORDER OF TRANSFER
CHRISTINE MONEY,) ORDER OF TRANSFER
Respondent.	}

On October 31, 2005, petitioner Levert K. Griffin filed this action for habeas corpus under 28 U.S.C. § 2254. An amended petition was filed on November 16, 2005. For the reasons stated below, this action must be transferred to the United States Court of Appeals for the Sixth Circuit.

A second or successive petition under section 2254 may not be filed without leave from the appropriate court of appeals. 28 U.S.C. § 2244(b)(3). The court takes judicial notice of the fact that this is at least the second petition filed by Griffin in this court challenging his 2002 convictions for sale and possession of marijuana. A previous petition was dismissed on September 30, 2005 on the ground that it did not set forth intelligible grounds for relief. See Griffin v. Money, N.D. Ohio Case No. 5:05 CV 1982.

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Accordingly, pursuant to In re Sims, 111 F.3d 45 (6th

Cir. 1997), this action is hereby transferred to the United States Court of Appeals for the Sixth Circuit.

IT IS SO ORDERED.

s/ Kathleen M. O'Malley KATHLEEN M. O'MALLEY UNITED STATES DISTRICT JUDGE

DATED: December 13, 2005